

10/039,541

REMARKS

Claims 1-20 are all the claims pending in the application. Applicants respectfully acknowledge that claims 5 and 7-10 have been allowed. Claims 3 and 6 are objected to as being dependent upon a rejected base claim. Claim 19 stands rejected upon informalities. Claims 1-2, 4 and 11-20 stand rejected on prior art grounds. Applicants respectfully traverse the objections/rejections based on the following discussion.

I. The 35 U.S.C. §112, Second Paragraph, Rejection

Claim 19 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the Office Action suggests that the limitation "wherein said battery is electrically connected to said integrated circuit chip through said battery", is indefinite, it is unclear how the battery is connected in relation to the integrated circuit chip.

Accordingly, line 2 of claim 19 has been amended to remove the unclear subject matter, and as such to place the claim in proper and allowable form. In particular, the word, "battery" is being replaced with the word "package", which according to page 2 of the Office Action, would place claim 19 in proper form. In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw this rejection.

II. The Prior Art Rejections

Claims 1-2, 4 and 11-19 stand rejected under 35 U.S.C. §102(b) as being anticipated by Smith, Jr., et al. (U.S. Patent No. 4,645,943), hereinafter referred to as Smith. Claim 20 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Smith, in combination with

10/039,541

Nalbanti (U.S. Patent No. 4,633,239). Applicants respectfully traverse these rejections based on the following discussion.

Smith discloses a space-saving back-up power supply apparatus has length and width dimensions substantially the same as those of a conventional integrated circuit connector. The apparatus includes sockets arranged on its top for making connection to a socket-pluggable integrated circuit such as a standard CMOS RAM, and the apparatus has pins extending from its bottom for making connection to a printed circuit board or connector of a host electronic system. Control circuitry and one or more batteries are located within the apparatus. The back-up power supply is operative to provide power to the socket-pluggable integrated circuit even if the normal power supply of the host electronic system is short-circuited. The control circuitry of the back-up power supply controls the chip enable signal and performs a battery test upon power-up.

Nalbanti discloses an integrated circuit package holder comprising a recess for a receipt of a removable spare power source such as two miniature cells to be interconnected between two pins of the holder into which two package supply pins are plugged. The holder can further contain, in a hybrid or integrated form, a circuit for detecting a voltage across spare source terminals that is lower than a predetermined discharge threshold, and a circuit for inhibiting a predetermined function in the integrated circuit when a main power source voltage between the supply pins disappears. A cover inserted between the holder and the package can be provided to connect the package pins to the holder pins without soldering, the cover and the package being locked to the holder by means of single pressures.

However, amended independent claims 1, 11, and 16 include the feature, "wherein said at least one battery overhangs said at least one integrated circuit chip" previously recited in dependent claim 3. In fact, page 7 (paragraph 8) of the Office Action admits that the "prior art of

10/039,541

record neither anticipates nor renders obvious" the combination of "at least one battery [overhanging] said at least one integrated circuit chip" together with the features of the independent claims.

Clearly, Smith, Nalbanti, nor any of the other prior art references of record, either alone or in combination with one another teach a battery overhanging an integrated circuit chip. Furthermore, the title, abstract, and summary have been amended in accordance with the suggestion in the Office Action.

In view of the foregoing, the Applicants respectfully submit that the cited prior art references, namely Smith and Nalbanti, do not teach or suggest the features defined by amended independent claims 1, 11, and 16 and as such, claims 1, 11, and 16 are patentable over Smith alone or in combination with Nalbanti. Further, the dependent claims are similarly patentable over Smith alone or in combination with Nalbanti, not only by virtue of their dependency from patentable independent claims, respectively, but also by virtue of the additional features of the invention they define. Thus, the Applicants respectfully request that these rejections be reconsidered and withdrawn.

Moreover, the Applicants note that all claims are properly supported in the specification and accompanying drawings, and no new matter is being added. In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejections.

III. Formal Matters and Conclusion

With respect to the objections/rejections to the claims, the claims have been amended, above, to overcome these objections/rejections. Therefore, the Examiner is respectfully requested to reconsider and withdraw the objections/rejections to the claims.

10/039,541

In view of the foregoing, Applicants submit that claims 1-20, all the claims presently pending in the application, are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary. Please charge any deficiencies and credit any overpayments to Attorney's Deposit Account Number 50-0510.

Respectfully submitted,

Dated: 3-1-05



Mohammad S. Rahman
Registration No. 43,029
McGinn & Gibb, PLLC
2568-A Riva Road, Suite 304
Annapolis, MD 21401
(301) 261-8625 - voice
(301) 261-8825 - fax
Customer Number: 29154